



March 26, 2025

BY ECF

The Honorable P. Kevin Castel
United States District Judge
Daniel Patrick Moynihan
United States Courthouse
500 Pearl St.
New York, NY 10007-1312

Re: *Anvil Trust et al. v. Ernst & Young et al.*, Civil Action No. 24-9731 (PKC)

Dear Judge Castel:

Plaintiffs Anvil Trust, Stephen Cannon, Bryant Edwards, and Neil Richardson, by and through their attorneys, and named Defendants, by and through their attorneys, jointly request that Defendants' time to answer or otherwise respond to the Complaint be extended to May 30, 2025. The parties make this request because the named Defendants have recently agreed to accept service of the Complaint via counsel, on condition of such extension, and without prejudice and without waiver of any defenses, objections, or arguments in this matter or any other matter, except as to sufficiency of service of process.¹

The parties further request that the initial pretrial conference currently scheduled for June 9, at 10:30 a.m., be vacated because Defendants intend to seek permission to file a motion to dismiss, and accordingly, discovery in this case is automatically stayed. *E.g., Faulkner v. Verizon Commc'ns, Inc.*, 156 F. Supp. 2d 384, 402 (S.D.N.Y. 2001) ("Pursuant to [15 U.S.C. § 78u-4(b)(3)(B)], several courts have stayed discovery as soon as the defendant indicates his intent to file a motion a dismiss, rather than waiting for the actual filing in court.").

¹ This extension is less than the 90 days that would have been afforded certain of the Defendants if they had executed waivers of service following the Court's denial of Plaintiffs' letter request for alternative service. The parties believe that having one response date for all Defendants is the more efficient than serial response dates, and, therefore, have agreed to the May 30 date for all named Defendants.

Respectfully submitted,

/s/ Serine Consolino

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Counsel for Defendants

IT IS SO ORDERED:

Dated:

P. Kevin Castel
U.S. District Judge

² Notice of appearance forthcoming.